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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,664	09/17/2001	John R. Ramun	2005-011339	9081
28289	7590 05/05/2005		EXAMINER	
THE WEBB LAW FIRM, P.C. 700 KOPPERS BUILDING		BATSON, VICTOR D		
436 SEVENT			ART UNIT	PAPER NUMBER
PITTSBURG	H, PA 15219		3671	***

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Advisory Action

Application No.	Applicant(s)		
09/936,664	RAMUN, JOHN R.		
Examiner	Art Unit		
Victor Batson	3671		

Before the Filing of an Appeal Brief	Examiner	Art Unit			
	Victor Batson	3671			
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress		
THE REPLY FILED <u>11 April 2005</u> FAILS TO PLACE THIS APF	PLICATION IN CONDITION FOR A	LLOWANCE.			
The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:					
a) \square The period for reply expires 3 months from the mailing date of					
b) The period for reply expires on: (1) the mailing date of this Advievent, however, will the statutory period for reply expire later the Examiner Note: If box 1 is checked, check either box (a) or (b). MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f)	an SIX MONTHS from the mailing date of ONLY CHECK BOX (b) WHEN THE FI	f the final rejection.			
Extensions of time may be obtained under 37 CFR 1.136(a). The date on been filed is the date for purposes of determining the period of extension a CFR 1.17(a) is calculated from: (1) the expiration date of the shortened stabove, if checked. Any reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	which the petition under 37 CFR 1.136(a nd the corresponding amount of the fee. atutory period for reply originally set in the	The appropriate extension final Office action; or (2)	n fee under 37 as set forth in (b)		
 The Notice of Appeal was filed on A brief in composition of filing the Notice of Appeal (37 CFR 41.37(a)), or any explored a Notice of Appeal has been filed, any reply must be a support of the Notice of Appeal has been filed. 	xtension thereof (37 CFR 41.37(e))	, to avoid dismissal d	of the appeal.		
AMENDMENTS					
 The proposed amendment(s) filed after a final rejection, (a) ☐ They raise new issues that would require further co (b) ☐ They raise the issue of new matter (see NOTE belo 	nsideration and/or search (see NO		because		
(c) ☐ They are not deemed to place the application in bet appeal; and/or		educing or simplifying	the issues for		
(d) They present additional claims without canceling a	corresponding number of finally re	jected claims.			
NOTE: See Continuation Sheet. (See 37 CFR 1.1	• • •				
4. \square The amendments are not in compliance with 37 CFR 1.1		ompliant Amendment	(PTOL-324).		
5. Applicant's reply has overcome the following rejection(s					
 Newly proposed or amended claim(s) would be a the non-allowable claim(s). 	llowable if submitted in a separate	, timely filed amendm	ent canceling		
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:	⊠ will not be entered, or b) □ w vided below or appended.	ill be entered and an	explanation of		
Claim(s) allowed: <u>1-10,12 and 15-34</u> . Claim(s) objected to:					
Claim(s) rejected: <u>11,13 and 14</u> .					
Claim(s) withdrawn from consideration:					
AFFIDAVIT OR OTHER EVIDENCE					
B. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an and was not earlier presented. See 37 CFR 1.116(e).	ut before or on the date of filing a N d sufficient reasons why the affidar	vit or other evidence i	s necessary		
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe y and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).		
10. The affidavit or other evidence is entered. An explanatio	n of the status of the claims after e	entry is below or attac	hed.		
REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered bu	t does NOT place the application i	n condition for allowa	nce because:		
12. Note the attached Information Disclosure Statement(s).					
13. Other:	3	1-111+			
	ν.	Winter Datas			
		Victor Batson Primary Examiner			

Art Unit 3671

Continuation Sheet (PTOL-303)

Application No.

Continuation of 3. NOTE: The proposed added limitation regarding the hydraulic cylinder being secured to the tine tip raises new issues that would require further consideration and search.